

IN THE UNITED STATES DISTRICT COURT, FOR THE MIDDLE DISTRICT OF  
ALABAMA NORTHERN DIVISION

CARL LEWIS,

PLAINTIFF,

vs.

CITY OF MONTGOMERY, ET AL.,

DEFENDANT.

2007 JUN 27 P 8:34

EDNA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT

Civil Action No. 2:06-cv-237-CSC

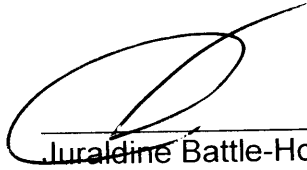
**PLAINTIFF'S RESPONSE AND OBJECTION TO DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT**

**COMES NOW** the Plaintiff and hereby moves this Honorable Court to Defendants' Motion for Summary Judgment. As grounds therefore, the Plaintiff avers that there is a genuine issue of material fact and the Defendants are not due a Summary Judgment as a matter of law. In support of her response, Plaintiff relies on the applicable law, pleadings and evidentiary materials attached hereto:

1. Exhibit "1" Complaint
2. Exhibit "2" Amended Complaint
3. Exhibit "3" Answer
4. Exhibit "4" Defendant's Motion for Summary Judgment
5. Exhibit "5" Plaintiff's Response to Reprimands
6. Exhibit "6" Shuford's Letter to Personnel Hearing Board
7. Exhibit "7" Plaintiff's Affidavit
8. Exhibit "8" Answer to Charges

**WHEREFORE, THE PREMISES CONSIDERED,** Plaintiff respectfully request that this Honorable Court deny Defendant's Motion for Summary Judgment and allow this case to move forward.

Respectfully submitted on this the 27<sup>th</sup> day of June 2007.

  
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Juraldine Battle-Hodge (3072-G-61J)  
Attorney for Plaintiff

OF COUNSEL:

**LAW OFFICE OF JURALDINE BATTLE-HODGE, P.C.**  
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Facsimile: (334) 263-5569

**CERTIFICATE OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of June 2007, the foregoing document was served upon the following counsel of record by placing a copy of the same in the U.S. Mail, First Class postage prepaid, addressed as follows:

Hon. Wallace D. Mills  
Assistant City Attorney  
Legal Department  
Post Office Box 1111  
Montgomery, AL 36101-1111

  
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Of Counsel